

Transportation Permit Efficiency and Accountability Committee (TPEAC) Meeting
December 12, 2001
Best Western Lakeway Inn, Bellingham

Committee Members Attending:

Voting

Sen. Margarita Prentice, Senate Democratic Caucus
Sen. Dan Swecker, Senate Republican Caucus
Rep. Doug Ericksen, House Republican Caucus
Rep. Sandra Romero, House Democratic Caucus
Jerry Alb, WSDOT
Gordon White, Washington Dept. of Ecology
Greg Hueckel, Washington Dept. of Fish and Wildlife
Greg Kipp, Washington State Association of Counties

Non-Voting

Ann Aagaard, Statewide Environmental Groups
Dan Dixon, Consulting Engineers Council of Washington
Terry Tilton, Washington State Building and Construction Trades Council
Chantal Stevens, Washington State Fish and Wildlife Commission
Willy O'Neil, Associated General Contractors of Washington
Grant Nelson, Association of Washington Business

Invited

Judith Lee, U.S. Environmental Protection Agency
Bob Turner, National Marine Fisheries Service
Dan Mathis, Federal Highway Administration
Sheila North, Federal Transit Administration, Region X
Doug Peters, WA Department of Natural Resources

Observer:

Christine Golightly, Columbia River Inter-Tribal Fish Commission

Committee Members Absent:

Voting

Ashley Probart, Association of Washington Cities

Non-Voting

Donald Sampson, Columbia River Inter-Tribal Fisheries Commission
Billy Frank Jr., Northwest Indian Fisheries Commission

Invited

Lynn Childers, U.S. Fish and Wildlife Service
Michael Lamprecht, U.S. Army Corps of Engineers

Introductions and Agreement on Last TPEAC Meeting Highlights

Senator Swecker began the meeting with opening comments and introductions. The highlights of the November 14 TPEAC meeting were accepted.

Subcommittee Presentations

The five TPEAC subcommittees each made presentations to TPEAC summarizing their work-to-date.

Pilot Projects

The subcommittee chair, Shari Schafflein of WSDOT, provided an overview of the subcommittee's December meeting, where the subcommittee discussed participation in the pilot projects and examined a draft meeting plan for the startup phase of the pilot projects. The subcommittee has scheduled a field trip to review the Hood Canal Bridge pilot project and its mitigation sites. The One-Stop Permitting Subcommittee is also invited to attend this field trip. The subcommittee's next meeting will be held on January 7.

Training, Compliance, and Reporting

Subcommittee co-chair Willy O'Neil of the Associated General Contractors of Washington presented an overview of the subcommittee's status and achievements. The subcommittee has agreed to the application of the SONDEO method to complete a baseline assessment of compliance issues. The SONDEO process will identify problems and potential solutions, and help the subcommittee understand relationships in existing training, compliance, and reporting systems. The subcommittee's next meeting will be held on January 16.

Watershed-Based Approach to Environmental Mitigation

Subcommittee co-chair Peter Birch of the Washington Department of Fish and Wildlife presented an overview of their actions to date. At their last meeting, the subcommittee heard a technical presentation on the Growth Management Act, adopted a vision statement, adopted a statement of support for the Salmon and Steelhead Habitat Inventory & Assessment Program (SSHIAP) as Best Available Information, and adopted a statement of support for the SR-24 pilot project as a case study. Their next two meetings will be held on December 17 and January 8.

The Watershed Mitigation subcommittee approved the following recommendation to TPEAC: "SSHIAP is a logical repository for best available information for salmonids that should be funded now and that it is a valuable tool for achieving the vision of the watershed mitigation subcommittee." A resolution was presented to the TPEAC for supporting continued funding of SSHIAP. The resolution passed with the support of all of the voting members present. It was agreed that the subcommittee would develop a business plan for to support the request for continued funding of SSHIAP.

One-Stop Permitting

Subcommittee co-chair Greg Kipp from King County summarized the results of their recent meetings. The subcommittee has been discussing the results of WSDOT's internal

survey of permitting issues, and has identified several opportunities to improve the permitting process. The subcommittee has asked other agencies represented on the subcommittee to conduct similar surveys. The results of these surveys will be considered during the development of a one-stop process. The subcommittee has further developed its scope of work by defining tasks to create the one-stop permitting proposal. The next meetings of the subcommittee will be held on December 17 and January 4.

Programmatic Process

Subcommittee co-chair Gregor Myhr presented an overview of their subcommittee status. The subcommittee has identified a two-fold conceptual programmatic process, including an individual agency approach and a multi-agency, activity-based approach. The individual agency approach follows WSDOT's current approach in programmatic permit development. Three potential approaches to developing a multi-agency programmatic process have been identified. They include a Dept. of Ecology programmatic permit following Section 402 of the Clean Water Act procedures, a regional Corps of Engineers programmatic permit following Section 404 of the Clean Water Act procedures, and a programmatic approval based on pilot activities. Pros and cons to each of these approaches have been identified. The subcommittee will hold its next meetings on December 20 and January 3.

RFEG Presentation

Terry Wright made a presentation on the roles and responsibilities of the Regional Fisheries Enhancement Groups (RFEG's) in salmon recovery efforts. There are 14 RFEG's in Washington dedicated to community-based salmon recovery and stewardship projects. The RFEG's will be preparing a proposal to demonstrate how they can be involved in the TPEAC process.

Hogan Decision Viewpoint

Will Stelle of Preston, Gates, and Ellis presented an overview of the implications of the recent Oregon district court decision voiding the listing of Oregon coastal coho salmon by the National Marine Fisheries Service under the Endangered Species Act. He discussed the implications of this decision on transportation planning and permit streamlining.

New Subcommittee on Planning

Shari Schaftlein of WSDOT, Judith Lee of E.P.A. and Sharon Love of Federal Highway Administration presented a proposal to create a 6th TPEAC subcommittee on planning. The Planning subcommittee would be created to review the transportation planning process and make recommendations on environmental information and processes that promotes early identification of issues in the planning phase in preparation for NEPA/SEPA and permitting decisions. The intended outcome is to ensure that the principles of NEPA are considered early in the transportation planning process in a non-regulatory way to expedite future regulatory decisions. It is the intent of the subcommittee to frame the issues related to transportation planning and to develop a plan to address those issues. Implementation of the plan will likely need to extend beyond the sunset date for TPEAC. After discussion on the scope of the subcommittee, a resolution

to establish a 6th TPEAC subcommittee on Planning was approved by all of the voting members present.

Plus/Delta, Future Meeting Schedule

The committee discussed positive aspects of the meeting and items that should be changed. The next TPEAC meeting will be held on January 9, 2002 from 9am – 3pm at the Labor & Industry Building in Olympia.

Senator Swecker adjourned the meeting.

Transportation Permit Efficiency and Accountability Committee (TPEAC) Meeting
November 14, 2001
Wyndham Hotel, SeaTac

Committee Members Attending:

Voting

Sen. Margarita Prentice, Senate Democratic Caucus
Sen. Dan Swecker, Senate Republican Caucus
Rep. Doug Ericksen, House Republican Caucus
Jerry Alb, WSDOT
Gordon White, Washington Dept. of Ecology
Peter Birch, Washington Dept. of Fish and Wildlife
Ashley Probart, Association of Washington Cities
Greg Kipp, Washington State Association of Counties

Non-Voting

Ann Aagaard, Statewide Environmental Groups
Dan Dixon, Consulting Engineers Council of Washington
Roger Boatwright, Washington State Building and Construction Trades Council
Chantal Stevens, Washington State Fish and Wildlife Commission
Willy O'Neil, Associated General Contractors of Washington
Kristen Sawin, Association of Washington Business

Invited

Lynn Childers, U.S. Fish and Wildlife Service
Judith Lee, U.S. Environmental Protection Agency
Bob Turner, National Marine Fisheries Service
Tom Mueller, U.S. Army Corps of Engineers
Dan Mathis, Federal Highway Administration
Sheila North, Federal Transit Administration, Region X
Doug Peters, WA Department of Natural Resources

Observer:

Christine Golightly, Columbia River Inter-Tribal Fish Commission

Committee Members Absent:

Voting

Rep. Phil Rockefeller, House Democratic Caucus

Introductions and Agreement on Last TPEAC Meeting Highlights

Senator Swecker began the meeting with opening comments and introductions of new attendees. It was determined that TPEAC meeting "highlights" would be submitted, rather than meeting minutes. The highlights of the October 10 TPEAC meeting were accepted with some minor amendments.

TPEAC Project Website

Scott Ekman of CH2M HILL presented an overview of the TPEAC project website, including new features that allow TPEAC members to communicate with each other and the subcommittees, upload/download new documents, and post meetings to an online calendar.

Subcommittee Presentations

The five TPEAC subcommittees each made presentations to TPEAC summarizing their work-to-date.

Pilot Projects

The subcommittee's facilitator, Michelle Girts of CH2M HILL, provided an overview of the subcommittee's preliminary screening process to select the three proposed pilot projects, which are as follows:

- Urban – I-405/SR 167 Interchange
- Urban/Rural – SR 24 over the Yakima River, from I-82 to Keyes Road
- Rural – Replacement of the east half of the Hood Canal Bridge

In addition, the SR 99 Alaskan Way Viaduct was also presented as a potential urban project. Another type of project – those with critical bridge scour effects – were also discussed. An example is the SR 522 bridge scour repair project.

The environmental issues and streamlining benefits associated with each project were presented. Michelle also summarized the November 9 joint pilot project/watershed mitigation subcommittee field trip to the SR 24 bridge project site on the Yakima River.

Jerry Alb presented an overview of the WSDOT pilot project selection process. Virginia Gunby spoke on behalf of the Statewide Environmental Groups opposing the I-405/SR 167 pilot project. This project is in the programmatic EIS planning phase. Several environmental groups have filed comments on the Draft EIS requesting an alternative to be considered in a supplemental EIS. The environmental groups believe that the pilot projects should be non-controversial; act as model projects for streamlining; and be funded at the project level (not at the corridor level as I-405 currently is). Ashley Probart of the Association of Washington Cities expressed similar concerns about the status of funding for the I-405/SR 167 project.

There was discussion among the committee regarding pilot project funding and mitigation requirements. A resolution was introduced to select the three proposed pilot projects. Sen. Swecker called for a roll call vote. The resolution passed with all voting members present supporting the resolution.

Training, Compliance, and Reporting

Subcommittee co-chair Willy O'Neil of the Associated General Contractors of Washington presented an overview of the subcommittee's status and achievements. The subcommittee is in the process of categorizing its scope elements, and has initiated a

process to achieve a baseline understanding of compliance issues. The subcommittee's selected process will include assessing baseline conditions, performing gap analyses, performing benchmarking, and creating recommendations to improve existing training, compliance, and reporting systems. The subcommittee's next meeting will be held on December 20.

Watershed-Based Approach to Environmental Mitigation

Subcommittee chair Peter Birch of the Washington Department of Fish and Wildlife presented an overview of their actions to date. The subcommittee has heard technical presentations from several regulatory agencies and has conducted an affinity exercise to identify issues of concern or interest to subcommittee members. The subcommittee attended the SR 24 Yakima River bridge field trip on November 9. Their next meeting will be held on December 4.

One-Stop Permitting

Subcommittee co-chair Kristen Sawin from the Association of Washington Business summarized the results of their meetings. The subcommittee continues to clarify its scope. The subcommittee has not been able to agree upon a vision statement and forwarded two alternate versions to TPEAC. A motion to rewrite the vision statement as follows was presented:

“One-stop permitting coordinates environmental review and permit decision-making among federal, state and local agencies while involving stakeholders more efficiently and effectively, and addressing local and site-specific concerns. The end result is to reduce delays and their negative impacts.”

The motion was adopted with five of the voting members present supporting the motion. The next meeting of the subcommittee will be held on November 28.

Programmatic Process

Subcommittee co-chair Scott Boettcher of the Department of Ecology presented an overview of their subcommittee status. The subcommittee has agreed to a vision statement, has learned from each other about existing programmatic processes, and has agreed to further explore a two-fold conceptual programmatic process. Their next meeting on December 10 will refine and develop this conceptual process.

Travel Reimbursement/Status of Liaison Hiring

Jerry Alb presented information on travel reimbursement procedures for TPEAC members attending meetings in different parts of the state. He also presented an update on the status of permit streamlining liaison staff hiring within the various regulatory agencies.

Non-Voting Member Presentations

Five non-voting TPEAC members gave presentations about their perspectives, concerns, and critical success factors related to permit streamlining. These presentations are summarized below:

Terry Tilton, Washington Building and Construction Trades Council

- Consolidation of permitting responsibilities should address the individual responsibilities and objectives of present multiple permitting authorities
- Consensus should be achieved on the resolution of overlapping/conflicting permitting issues; a single standard should be developed that is agreed upon by existing permitting authorities
- Efficiencies should be gained from elimination of redundant requirements
- Substantial time savings should be accomplished in permitting specific projects
- Existing permitting agencies should be satisfied that environmental permitting objectives and responsibilities have been accomplished
- Measurable, improved achievement of environmental mitigation shall be achieved under the new process
- Public and environmental groups should demonstrate acceptance and credibility of the new process and its actual performance

Ann Aagaard, Statewide Environmental Groups

- Work from a documented information base to accurately define the problem(s) which have made the permitting system inefficient
- Pursue solutions which are aimed directly at solving the problem(s) identified while insuring protection of natural resources
- Evaluate the success or failure of the solution(s) using quantifiable and analytical methodologies
- Compile and disseminate results and work to incorporate these ideas into the decision-making process
- Streamlined permitting should be a process of coordination, not collapsing the permitting process into a “one size fits all” methodology.
- Pilot projects must be selected that are capable of demonstrating the defined problem and applying specific coordinated processes. Efficiency and effectiveness gained must be quantifiable. Projects should not be selected on a programmatic level.
- Commitment to restoration of the environment must result in net improvement of ecological systems.
- Acceptance should be demonstrated that federal laws limit authority of state regulations (e.g. ESA and Clean Water Act)

Kristen Sawin, Association of Washington Business

- Each participant must have an open-mind about new processes
- Build public trust in permitting processes
- Streamlining should cut time and money
- Lessons learned from pilot projects should be applied to all projects, not just transportation

Lynn Childers, U.S. Fish and Wildlife Service

- Process must ensure fish and wildlife are considered during all phases of permitting
- Efficiency – faster and better decisions without impacts to fish and wildlife species
- Coordinate agency abilities to participate in planning

Judith Lee, U.S. Environmental Protection Agency

- TPEAC should consider a 6th subcommittee to review early involvement and coordination in NEPA planning process (EPA and WSDOT agreed to come to the next meeting with a written proposal for the 6th subcommittee, describing subcommittee purpose, cost, necessary liaison resources, and desired membership)
- Integration of land use, transportation planning, and environmental protection
- Incorporate environmental values into transportation planning

Project Development Process

Scott Ekman presented a process map demonstrating the “as-is” process for developing a transportation project through the following phases: assessment; planning; ad/bid/award; and execution. This map clearly showed the division of responsibilities and interaction between WSDOT environmental project managers, WSDOT regulatory compliance staff, WSDOT design staff, and regulatory agencies. The process map also includes the tools and mechanisms utilized during each phase of the process, and the duration of each step. This process map was developed by CH2M HILL in interviews with WSDOT, Ecology, and WDFW staff. A preliminary list of issues to be addressed by permit streamlining was compiled and presented. Several TPEAC commented that this process map was very informative and would serve as a useful tool throughout the streamlining process. Judith Lee of U.S. E.P.A. proposed another “do-loop” be added to the process map within the NEPA/SEPA review process.

Critical Success Factors Exercise

Scott Ekman led an exercise to create a “forcefield diagram” to represent the current processes and issues that are either enablers or hindrances to the permit streamlining process. The group identified lists of both enablers and hindrances, and participants were invited to vote on the two most significant hindrances. Below is a summary of the identified issues with the corresponding number of votes for the hindrances in parentheses ().

<u>Enablers</u>	<u>Hindrances</u>
25 years experience	No agreement on level of detail (7)
Some well-written regulations	Lack of trust between regulated community and regulating agencies (7)
Legislative changes	Lack of intra-agency trust (5)
Public pressure	Legislative (legal) restraints
Information systems	Conflicting agency mandates
Public support	Variability in quality of permit submittals
Liaisons	Lack of transportation funding
Clear standards	Legislative pressure for too many projects
Better science	Process too complicated (4)
	Inconsistent project funding
	Stakeholders fear lack of control
	Lack of quality control; inconsistency between regions
	Agency decision-making processes not clear or transparent
	Lack of proactive resource conservation planning
	Better science makes it more difficult to complete projects
	Straight-jacketed standards
	Stakeholders turf-protecting (7)
	Lack of community connection
	Lack of direction from legislature and governor

Plus/Delta, Future Meeting Schedule

The committee discussed positive aspects of the meeting and items that should be changed. The next TPEAC meeting will be held on December 12, 2001 from 9am – 3pm at the Best Western hotel in Bellingham.

Senator Swecker adjourned the meeting.

**Transportation Permit Efficiency and Accountability Committee (TPEAC) Meeting
October 12, 2001
West Coast Olympia Hotel**

Committee Members Attending:

Voting

Sen. Margarita Prentice, Senate Democratic Caucus
Sen. Dan Swecker, Senate Republican Caucus
Rep. Doug Ericksen, House Republican Caucus
Jerry Alb, WSDOT
Greg Hueckel, Washington Dept. of Fish and Wildlife
Gordon White, Washington Dept. of Ecology
Ashley Probart, Association of Washington Cities
Greg Kipp, Washington State Association of Counties

Non-Voting

Bruce Wishart, Statewide Environmental Groups
Dan Dixon, Consulting Engineers Council of Washington
Dick King, Washington State Building and Construction Trades Council
Russ Cahill, Washington State Fish and Wildlife Commission
Willy O'Neil, Associated General Contractors of Washington
Kristen Sawin, Association of Washington Business

Invited

Lynn Childers, U.S. Fish and Wildlife Service
Sally Marquis, U.S. Environmental Protection Agency
Stephanie Ehinger, National Marine Fisheries Service
Dan Mathis, Federal Highway Administration
Sheila North, Federal Transit Administration, Region X
Judy Wilson, WA Department of Natural Resources

Observer:

Steve Robinson, Northwest Indian Fisheries Commission

Committee Members Absent:

Voting

Rep. Phil Rockefeller, House Democratic Caucus

Non-Voting

Donald Sampson, Columbia River Inter-Tribal Fisheries Commission
Billy Frank Jr., Northwest Indian Fisheries Commission

Introductions and Adoption of Last TPEAC Meeting Minutes

Senator Swecker began the meeting with opening comments. The minutes of the September 12 TPEAC meeting were adopted with some minor amendments.

Rules of Interaction

Senator Swecker reviewed the suggested changes to the first draft of the committee's Guidelines for Interactions (Bylaws). The Guidelines for Interactions were adopted with some minor amendments.

Announcement of Subcommittee Chairs

The five TPEAC subcommittees have each had one meeting prior to the October 10 TPEAC meeting. The elected chairs or co-chairs of the five subcommittees were announced, as follows:

Programmatic Process

Gregor Myhr, WSDOT

Scott Boettcher, Dept. of Ecology

One-Stop Permitting

Kristen Sawin, Association of Washington Business

Greg Kipp, Washington State Association of Counties

Watershed-Based Approach to Environmental Mitigation

Peter Birch, Washington Department of Fish and Wildlife

Pilot Projects

Shari Schaftlein, WSDOT (Acting Chair)

Training, Compliance, and Reporting

Willy O'Neil, Associated General Contractors of Washington

Loree Randall, Department of Ecology

Status of Liaison Hiring

Shari Schaftlein of WSDOT provided an update on the status of liaison staff hiring to provide support to the federal and state resource agencies to assist in the implementation of permit streamlining activities.

Dispute Resolution

Senator Swecker introduced a proposed dispute resolution process that would be used to mediate any disputes that arise between TPEAC members in the implementation of permit streamlining. There was discussion about the specific informal and formal steps of the dispute resolution process. The proposed dispute resolution process was adopted by TPEAC as written.

Non-Voting Member Presentations

Three non-voting TPEAC members gave presentations about their perspectives, concerns, and critical success factors related to permit streamlining. These presentations are summarized below:

Russ Cahill, Washington State Fish and Wildlife Commission:

- Permit streamlining should cut costs of applicants and government agencies

- Continue to avoid impacts to fish and wildlife throughout the state
- Enhance resource values by improving on past impacts
- Build trust in the decision-making process
- Make permitting processes understandable

Dan Dixon, Consulting Engineers Council of Washington:

- Build a common understanding of core purposes of permitting
- Work to meet those core purposes through permit streamlining
- Keep the big picture (environmental and economic) in mind when deciding where to focus best investments
- Strive toward predictability, consistency, and simplification

Willy O'Neil, Associated General Contractors of Washington:

- Get all of the interested parties involved; utilize an open public process
- Apply lessons learned from permit streamlining (improved permitting processes, timing, and costs) to all future projects, not just transportation
- Utilize permit streamlining as a vehicle for improved environmental compliance
- Apply a watershed-based approach to build connections with local community-based and environmental restoration efforts

Subcommittee Report-Out

Each of the five subcommittees presented the results of their first meeting. While many of the first meetings were introductory and organizational in nature, most groups felt that they were productive. The elected subcommittee chairs presented the follow elements from their respective subcommittees:

- Membership make-up and key missing members
- Need and vision statements
- A preliminary scope of work for their subcommittee
- Issues and concerns of the subcommittee
- Actions to date and next steps

There was a brief discussion about the role of the subcommittee chairs and the facilitators that have been working with the subcommittees. Each of the subcommittees has scheduled their next meeting, and will present the results of this meeting at the November TPEAC meeting.

Monitoring and Evaluation

Scott Ekman of CH2M HILL presented a draft structure for monitoring and performance measurement to be used by the TPEAC. This structure was discussed briefly, and it was agreed that the goals and indicators contained within this structure would need to be refined. TPEAC members will submit comments on the draft structure, and this subject will be discussed at the next TPEAC meeting.

Critical Success Factors

A preliminary compilation of critical success factors was reviewed, based on initial input from TPEAC members. Success factors collected to date have been compiled into the following four categories:

- Permit streamlining results in efficient, timely project completion
- There are clear responsibilities between agencies and consistency with local jurisdictions
- Environmental standards are met and mitigation practices are improved
- Pilot projects are effective for future application and public credibility is built

As more critical success factors are identified by TPEAC members, these will be incorporated into the evolving list.

Communication Plan

Scott Ekman presented an overview of the proposed communications plan for Permit Streamlining, including the TPEAC project web site. The project web site will allow TPEAC members to review and comment on committee and subcommittee-specific materials, find and post future meeting dates, and e-mail among different groups.

TPEAC project web site: http://www.ch2mis.com/wsdot_tpeac/

WSDOT Environmental Permit Streamlining web site:

http://www.wsdot.wa.gov/eesc/environmental/programs/regcomp/streamlin_act/streamlining_act.htm

Plus/Delta, Future Meeting Schedule

The committee discussed positive aspects of the meeting and items that should be changed. Future TPEAC meeting dates were presented. The next TPEAC meeting will be held on November 14, 2001 from 9am – 3pm at the Wyndham Gardens hotel in SeaTac.

Senator Swecker adjourned the meeting.

Transportation Permit Efficiency and Accountability Committee (TPEAC) Meeting
September 12, 2001
West Coast Olympia Hotel

Committee Members Attending:

Voting

Sen. Margarita Prentice, Senate Democratic Caucus
Sen. Dan Swecker, Senate Republican Caucus
Rep. Phil Rockefeller, House Democratic Caucus
Rep. Doug Ericksen, House Republican Caucus
Jerry Alb, WSDOT
Greg Hueckel, Washington Dept. of Fish and Wildlife
Tom Fitzsimmons, Washington Dept. of Ecology
Claudia Hirschey, Association of Washington Cities
Greg Kipp, Washington State Association of Counties

Non-Voting

Ann Aagaard, Statewide Environmental Groups
Dan Dixon, Consulting Engineers Council of Washington
Dick King, Washington State Building and Construction Trades Council
Russ Cahill, Washington State Fish and Wildlife Commission
Willy O'Neil, Associated General Contractors of Washington

Invited

Lynn Childers, U.S. Fish and Wildlife Service
Judith Lee, U.S. Environmental Protection Agency
Bob Turner, National Marine Fisheries Service
Dan Mathis, Federal Highway Administration
Tom Mueller, U.S. Army Corps of Engineers

Committee Members Absent:

Non-Voting

Donald Sampson, Columbia River Inter-Tribal Fisheries Commission
Billy Frank Jr., Northwest Indian Fisheries Commission (*Invited - NWIFC has not yet officially accepted membership in TPEAC*)
Kristen Harte Sawin, Association of Washington Business
Doug Sutherland, Department of Natural Resources (Judy Wilson was in the audience representing DNR)

Introductions and Selection of Chair

Sen. Prentice began the meeting with some opening comments. She nominated Sen. Swecker to chair the committee. Sen. Swecker was elected by unanimous support of the four legislative members of the committee.

Welcoming Remarks

The four legislative members of the committee each presented their opening comments and perspectives on the legislation and the mission of the committee. Glenn Clinton, Western Resource Center Manager of the Federal Highway Administration offered remarks on behalf of his agency regarding their streamlining efforts and how they will work with WSDOT and other agencies in Washington to implement permit streamlining. Glenn announced a \$100,000 FHWA contribution towards streamlining stormwater mitigation efforts.

Agenda/Objectives/Rules of Interaction

Meeting facilitator Scott Ekman of CH2M HILL reviewed the meeting agenda, objectives, and the first draft of the committee's Guidelines for Interactions (Bylaws). Committee members will submit comments and revisions will be made to the Guidelines in advance of the next meeting. A vote for adoption of the Guidelines will be held at the October TPEAC meeting.

Overview of 6188

Jerry Alb presented background and an overview of ESB 6188, the Environmental Permit Streamlining bill. Five major themes included in the bill are: Planning; Standards Agreement; Permit Actions; Mitigation; and Investment Approach. Work to implement the bill will be carried forward in the following three tracks: Programmatic; Projects of Statewide Significance; and Pilot Projects. The implementation goals and objectives are as follows:

- 25% reduction in mitigation cost
- 50% increase in environmental benefit
- 60% of projects in programmatic
- 50% reduction in redesign
- 50% reduction in permit timing

The following five subcommittees will be created at this time to oversee implementation of the bill:

- Programmatic Process
- One-Stop Permitting
- Watershed-Based Approach to Environmental Mitigation
- Pilot Projects
- Training, Compliance, and Reporting

There was discussion on the distinction between pilot projects and projects of statewide significance, and the permit review process applied to each category. Three pilot projects are mandated in the legislation; these pilot projects are examples of projects of statewide significance. An interim permit review process is detailed in the legislation; this process may be applied to projects of statewide significance. The pilot projects will utilize evolving permit streamlining tools in the permit review process.

Subcommittee Orientation

Scott Ekman presented an overview of the five subcommittees that will be created at this time, including their objectives and preliminary work plans. Workload Gantt charts have been developed to identify work tasks for the five subcommittees. The preliminary work plans identify actions from the Gantt charts for each subcommittee to orient themselves and initiate their work planning.

Shari Schaftlein of WSDOT gave an update on the status of hiring liaisons to work with the resource agencies (e.g. Ecology, Fish and Wildlife). Shari also presented an overview of the draft concepts for a programmatic permit process and a one-stop permit process. Two of the five subcommittees will be tasked with identifying current permit processes, refining the draft concepts, and determining opportunities for application of these permit streamlining tools in pilot projects and projects of statewide significance.

A list of screening factors and a list of projects of statewide significance being screened was presented. The Pilot Projects subcommittee will review this list to select the three pilot projects. TPEAC will vote on these pilot projects. The legislature will approve the projects of statewide significance.

Working Lunch

During lunch, the five non-legislative TPEAC members shared their perspectives, concerns and critical success factors. Below is a summary of the presentations' key messages.

Tom Fitzsimmons, WA Department of Ecology:

- Build on ground already laid, agreements already made, and successes already demonstrated
- Work from a base of knowledge and information, not misinformation
- Work together as “one state”
- Process and products produced are formed from elements of success
 - case managers and project managers
 - project permit decision-making teams
 - master timelines and decision-making schedules
 - one-stop shop Permit Assistance Center as a “front door”
 - outsourcing excess workload
 - front-end, outcome-oriented technical assistance staff
 - engaging regulatory staff early-on with project proponents
 - clear, predictable, and broadly understood regulatory conditions and requirements
- Ecology's goals for permit streamlining: permitting processes are timely and predictable; projects are permittable, environmental standards and objectives are met, and decisions are not appealed.

Greg Hueckel, WA Department of Fish and Wildlife:

- Don't re-invent processes; utilize existing statutes and standards
- Dedicate resources up-front

- Lessons learned from pilot projects will contribute to permit streamlining

Jerry Alb, WSDOT:

- Recognize leveraging of resources between agencies
- Protect vital interests of the state
- Recognize public expectations; build credibility
- Merge watershed planning and transportation decision-making

Claudia Hirschey, Association of Washington Cities:

- Pass a transportation package; increase transportation funding
- Reduce the time to complete designs
- Create/utilize a single point-of-contact for permitting
- Project teams should provide solutions for permitting issues
- Consistency on standards is needed from WSDOT
- Ensure streamlining processes and recommendations are consistent with local comprehensive plans

Greg Kipp, Washington State Association of Counties

- Consistency with local jurisdictions is important
- Authority for certain reviews should be delegated
- Don't lower level of environmental protection
- Ensure pilot projects are really good test cases

Subcommittee Orientation (cont'd)

Tim Quinn and David Johnson of WA Department of Fish and Wildlife presented an overview of Watershed-Based Mitigation: Coordination with WDFW and the Salmon and Steelhead Habitat Inventory & Assessment Program (SSHIAP). Their concept of eco-regional planning and the SSHIAP can be used for mitigation planning that is consistent with salmonid recovery planning. This combined with an Ecosystem Diagnostic Tool (EDT) provides the analysis to identify priority restoration and protection sites.

Rick Singer of WSDOT gave a brief orientation to WSDOT's training, compliance and reporting mechanisms, which rely on a framework of environmental policies and an environmental management system to develop individual environmental training and compliance modules.

Subcommittee Organization

The structure, roles and responsibilities of the individual subcommittees were discussed. An organizational lead has been established for each subcommittee to set up the first meeting and to act as an initial point-of-contact until a subcommittee chair is established. There was a motion to approve the subcommittee structure as proposed. The motion was passed unanimously. The following organizational leads were identified for the subcommittees:

Programmatic Process: Gregor Myhr, WSDOT

One-Stop Permit Process: Scott Boettcher, Ecology

Watershed-Based Mitigation: Peter Birch, WDFW
Pilot Projects: Shari Schaftlein, WSDOT
Training, Compliance, Reporting: Steve Yach, WSDOT

Dispute Resolution Process

Deborah Cade from the state Attorney General's office presented a preliminary dispute resolution process that establishes a three-member Dispute Review Board. There was discussion about alternative models for dispute resolution that utilize existing agency hierarchies. Rep. Rockefeller suggested the U.S. E.P.A. and Army Corps of Engineers present the NEPA/404 merger dispute resolution process at the next TPEAC meeting.

Communication Plan

Scott Ekman presented an overview of the proposed communications plan for Permit Streamlining, including use of the external WSDOT web site and an internal, password-protected internal web site for TPEAC members. This secure site would allow TPEAC members to review and comment on committee and subcommittee-specific materials, find and post future meeting dates, and e-mail among different groups. There was some concern that the project web-site might preclude the public from obtaining information valuable to them. An action was taken for WSDOT to work with the Attorney General's office to determine if this approach is viable.

Plus/Delta, Future Meeting Schedule

The committee discussed positive aspects of the meeting and items that should be changed. A list of potential future TPEAC meeting dates was reviewed. Future meetings will be held on the 2nd Wednesday of each month, with one exception – March 20, 2002. The October and November, 2001 meetings will be held at the West Coast Olympia Hotel. Future meeting locations are to be decided.

Sen. Swecker adjourned the meeting.